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Senate

The Senate met at 3:02 p.m. and was called to order by the Honorable MARK KELLY, a Senator from the State of Arizona.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Give heed, mighty God, to our prayers and hear our petitions. You are a God of justice, who always does what is right.

As Jewish people tonight light the fifth candle of Hanukkah, let there be peace on Earth, and may it begin with us.

Lord, You have examined our hearts. You know our motives. Continue to guide our Senators. Empower them to follow You faithfully, to seek Your will, and to find their peace through fellowship with You. May they trust You for safety, finding their highest fulfillment in knowing they are doing Your will.

When everything seems to fall apart, remind them that, in everything, You are working for the good of those who love You, who are called according to Your purposes.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 11, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK KELLY, a Senator from the State of Arizona, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. KELLY thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Richard E.N. Federico, of Kansas, to be United States Circuit Judge for the Tenth Circuit.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BORDER SECURITY

Mr. McCONNELL. Mr. President, for all of its flaws, the supplemental request the Biden administration submitted to Congress did correctly identify four especially urgent national security priorities: defeating Russian in-

vasion in Europe, countering Iran-backed terror in the Middle East, deterring Chinese aggression in the Indo-Pacific, and securing America's southern border.

Late last week, President Biden said he was willing to make "significant compromises" on Republican policy changes designed to restore real border security.

And across the country, elected Democrats are emphasizing just how urgent this progress is. The Governor of Arizona reported over the weekend that her State is "at a breaking point" and that it needs Washington to "step up, do its job, and bring security and order to our border." She is a Democrat.

At the frontlines of the crisis that has unfolded on President Biden's watch, the mayor of Nogales, AZ, put it this way:

I think it's time to say enough is enough. . . . I'm a Democrat, a registered Democrat, but I run this city as a human being.

I know many of my colleagues here in the Senate share that frustration. Many of them recognize the urgency of the situation. Just over the weekend, in the time since Senator LANKFORD presented Senate Democrats with this latest opportunity to help fix America's broken asylum and parole system, the crisis at the southern border has actually gotten worse.

With average daily border crossings near 10,000—10,000—CBP is now saying it is releasing 6,600 illegal aliens into the interior every single day. The backlog of asylum cases sits at 3 million—3 million—and counting. And officials have reported arrivals from more than 150 countries just since October 1.

This is what a crisis looks like. This is what the Democratic leader spent last week insisting was "extraneous" to America's national security.

Well, when it comes to keeping America safe, border security is not a side show; it is ground zero.

Senate Republicans have no more spare time to explain this basic reality.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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We cannot convince anyone who doesn't want to acknowledge the glaring facts on the ground. The Senate has to act.

ANTI-SEMITISM

Mr. President, now on another matter, years of moral rot and intellectual decay began to catch up with America's most elite universities. The President of the University of Pennsylvania resigned 4 days after failing to state whether calls for genocide against Jews constituted bullying or harassment under her institution's conduct policy.

In the face of an alarming wave of vile anti-Semitism—including death threats—on college campuses, the heads of Penn, Harvard, and MIT did everything they could to avoid condemning one of the world's oldest forms of hatred.

Of course, the Ivy League administrators' lack of moral clarity is not a recent development. For more than 2 months now, universities across the country have been engaged in an embarrassing public cycle of equivocations and apologies.

And for years, elite institutions have sheltered despicable anti-Semites under the guise of academic freedom and let them poison a generation of young minds with hateful, postmodern ideologies. The especially alarming part of the Penn, Harvard, and MIT testimony last week was just how brazenly—brazenly—their cynical embrace of free speech contradicted their response to supposed slights against leftist orthodoxy.

Today's elite college campuses are hardly bastions of free speech. The Ivy League's enforcement of speech restrictions against a laundry list of wrongthink and "microaggressions" would make censors in Pyongyang blush.

There is room to punish faculty for inviting guest speakers with objectionable views or assigning controversial class readings as Penn's president did just last year. There is room to revoke invitations for academic panelists and deplatform visiting lecturers who fail to toe the elite liberal line on social issues, as Harvard has done repeatedly.

But apparently there might not be room in the Ivy League's extensive speech restrictions to take action against calls for genocide against Jews, as Harvard's president told our House colleagues, it would—listen to this—"depend on the context."

Some current—and now former—leaders of America's most elite echo chambers would like us to believe they have a deep and abiding commitment to intellectual diversity and freedom of speech, but they are not fooling anybody. In fact, Harvard ranks dead last in a leading watchdog ranking of campus free speech. Its speech climate rated "abysmal." "Abysmal," how is that for context?

It is rather simple. Universities can enforce their existing speech restrictions evenly or they can start applying their newfound embrace of free speech across the board—and not just for anti-Semites and terrorist sympathizers.

Until they decide, the Ivy League's most philanthropic alumni will continue to vote with their checkbooks. Harvard alone is reportedly facing more than \$1 billion in canceled donations over its president's astounding failure. Even with their gargantuan tax-free endowment, that is real money. And until universities commit to protecting innocent Jews on campus, bright, young students might just vote with their feet.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

GUATEMALA

Mr. DURBIN. Mr. President, over the weekend, I joined Senator TIM Kaine of Virginia on a trip to Guatemala and Honduras. With us were Senators MERKLEY, BUTLER, WELCH as well as Guatemalan-American Congresswomen TORRES of California and RAMIREZ of Illinois.

Both Guatemala and Honduras have struggled with conflict, corruption, stark inequality, and fragile democratic governments.

Many of us have forgotten that until the 1980s, much of Latin America was led by military dictators, sometimes with Cold War-era support from the United States.

Guatemala's bloody 36-year civil war only ended in 1996. It is a reminder of why the U.S. attention to this region's nascent and often fragile democracies is so important.

Guatemala is facing a deeply challenging Presidential transition. In October, Bernardo Arevalo won in a decisive landslide election where he pledged to tackle endemic corruption. Early polls showed him at 3 percent of the vote. When the final election took place, he won by 20 percent, a 1 million vote plurality, but outgoing President Giammattei, and Attorney General Porras are, unfortunately, attempting to undermine that peaceful transition ahead of the January 14 inauguration.

I might add that unlike other elections in Central and South America, this election where Mr. Arevalo prevailed was monitored by international sources, and the votes were challenged in court, counted, and found to be still in his favor, overwhelmingly.

In fact, shortly after President Giammattei didn't show up for a meeting with us one morning, his government crudely tried to annul the recent election results. This clumsy coup attempt—which was globally rejected—must not succeed. The Guatemalan voters' choice must be respected.

I want to raise the attention of the Senate to two Guatemalan political prisoners we asked about but were denied an opportunity to visit in prison, former prosecutor Virginia Laparra and journalist Jose Ruben Zamora. You won't be surprised to hear that both focused on issues of corruption, which is why they landed in jail on nonsense charges.

I look forward to working with the new President-elect, Arevalo, once he is sworn in, and hope their release will be one of his early actions.

HONDURAS

Mr. President, in 2021, neighboring Honduras elected its first female President, Xiomara Castro, who many hoped would bring much needed change after decades of misrule and instability. Though she claims repeatedly to be an ally of the United States and closely aligned with our values, there have been some actions by her government in transition that raise serious concerns about commitment to democratic norms and, unfortunately, of closer ties to China, Cuba, Venezuela, and even Russia. President Castro still has an opportunity to show that we can work together for the common values that we share. I hope she takes that path.

Early in Senator Kaine's adult life, he spent a year in a Jesuit mission in Honduras, teaching Hondurans how to be carpenters and welders. It was in a Jesuit school for impoverished children where he gave a year of his life. I want to commend TIM Kaine for that effort, what he calls his "North Star" in his life, which helped to make him a thoughtful leader and one of the most admired Senators on the floor. His commitment to the region is a reminder that we still have important allies and responsibilities in our own neighborhood.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. President, I would also like to speak briefly on the National Defense Authorization Act. The bill authorizes \$886 billion for America's defense, expanding benefits for servicemembers and strengthening national security. It provides a 5.2-percent pay increase for our troops and the Pentagon civilian workforce, the largest increase in 20 years. Importantly, the conference report excludes a number of dangerous partisan provisions that were designed to rip away the freedoms of the very Americans whom, every day, we send to defend them.

This bill includes a number of provisions I offered, including to uphold Ukraine's territorial sovereignty, as that country fights for survival against Russia. Here is this country, hanging on by a thread, wondering if the United States is going to come to its assistance as people fight and die every single day to stop the invasion of Putin and his forces.

It is hard to imagine that we have reached a point where we have promised to stand by a country like Ukraine in this time of testing and we have mobilized the NATO alliance and many other nations to join us in that effort, and then have the rug pulled out from us by Donald Trump, who said he changed his mind on Ukraine.

To strengthen our security partnerships with our allies, such as the Baltics and Australia, we have to stay the course. I am convinced that the Ukrainians will prevail. We must show that we are determined to help them prove it.

This year the bill also authorizes many important programs. It is not

perfect, and it includes an unnecessary extension of section 702. I won't go into the details of this complicated mechanism that we have to try to detect those who threaten our country, but, from the beginning, I raised questions about its compliance with the constitutional guarantees of people being safe in the searches and seizures of the government. We will continue to discuss this over the weeks and months ahead.

IMMIGRATION

Mr. President, I want to close on the topic that Senator MCCONNELL raised, immigration. It is not an easy issue. I have given 20 years of my life here in the Senate to the issue of immigration and feel it was time well spent. It is over 20 years ago that I introduced the DREAM Act. Before I introduced this bill, if you asked most people what the "Dreamers" were, they would say a British rock group headed up by a guy named Freddie. Well, today, when you say "Dreamers," people know what you are talking about: infants, toddlers, and children brought to the United States by their parents, growing up here, going to school, and determined to help this country succeed in the future. And what they find when they are teenagers is that they are undocumented; they don't have legal status in the United States.

I have always believed that they deserve a chance. The overwhelming majority of Americans of both political parties believe the same thing. But we have been unable to enact that law, and, as a consequence, at least 800,000 who were helped with the DACA Program by President Obama still have their fate in doubt as it courses through our Federal court system. That is something we should do automatically—we should have done it a long time ago—to protect these young people and the aspirations they have to make us a better nation. These are young people who will serve not only as teachers and engineers, but doctors and nurses and members of our military. If we give them the chance to fight and die for America, they will do it. They want to be part of this Nation's future, and they deserve that opportunity.

But, currently, we are debating only one thing, and that is the policy at the border—the southern border of the United States. I will tell you this: I have taken a close look at the situation at the border, and I know that change is necessary. But it must be change consistent with our values and realistic.

For the Republicans to propose change which says that those who come into the country seeking asylum will either be detained or sent to remain in Mexico—a policy that Donald Trump tried during his Presidency—there are some fatal flaws here. How in the world are we going to detain all those people presenting themselves at the border? That is simply a promise that can't be kept. And, secondly, as for this notion of "Remain in Mexico,"

there is only one party to this conversation that hasn't agreed to it, Mexico. They don't want to have these people residing in their country for long periods of time while we work out changes in America's legal system.

It is hard to imagine, when you see the intractable positions taken by some on immigration, that there actually was a moment when we agreed on a bipartisan basis to pass comprehensive immigration reform. The Gang of 8, which I was part of, put that together. It was an extraordinary effort, and it was successful because of the hard work of a lot of people and a lot of time spent going through—painstakingly going through—each and every provision of the bill.

It can be done. It needs to be done. But the notion that in 7 days or 14 days we can craft some change in immigration policy that will help us, from time immemorial, is unrealistic and naive, and to condition any assistance to Ukraine on the achievement of that political goal is nonsense.

What we can do is come up with an agreement, I believe, on a bipartisan basis to enforce provisions and rules at the border that are consistent with American values but really do make it clear that we cannot sustain the number of people who are presenting themselves at the current time. I think that can be done, but only as a preliminary step to move us toward comprehensive immigration reform.

There are some, incidentally, who call for immigration reform but have never voted for an immigration bill one time in their political lives. That is a reality. So we shouldn't listen to their guidance if they haven't proven that they are open to vote for anything on the subject.

This is an important issue to a lot of people. I was in Guatemala City yesterday, as a matter of fact—or was it Saturday? This weekend, I met with people from Venezuela who were making their way to the U.S. border—they were mothers with small children—and I thought to myself: Who would embark on that dangerous, deadly journey with small children, realizing that every step of the way they are the most vulnerable person in the country?

As you travel through these countries, they are assaulted by people who steal everything that they own and threaten them with physical abuse and other things. I can't imagine how desperate these people must be to risk their families and their kids to make it to America. But then I think back: As a son of an immigrant myself, I know there was a determination in my family to make it in this country.

We have got to find a way to carefully construct a border policy that still takes advantage of the opportunities of immigration—the people who will come here and make us a better nation in the years ahead—and do it in a fashion that is thoughtful, not vindictive. That is what immigration requires, and I hope that we can reach that goal.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

UKRAINE

Mr. SCHUMER. Mr. President, tomorrow morning, Leader MCCONNELL and I will welcome Ukrainian President Volodymyr Zelenskyy to the Senate. This will be the third time President Zelenskyy meets with Senators since the start of the war, and it will be his most important visit of all.

The war in Ukraine stands at a crossroads, with our friends in desperate need of American aid to maintain pressure on Vladimir Putin. The last time President Zelenskyy spoke to the Senate, he warned us that without more aid, Ukraine will lose the war—simple as that. Earlier today, he warned military officers at the National Defense University that "if there's anyone inspired by unresolved issues on Capitol Hill, it is just Putin and his sick clique."

So if there is a word for what we most need this week, the word is to be serious about the task at hand. If Republicans in the Senate do not show they are serious about finalizing an agreement for the national security package, Vladimir Putin is going to walk through Ukraine and right through Europe.

Both parties understand that aiding Ukraine and resisting Putin are critical for our national security, but Republicans and only Republicans are holding everything up because of unrealistic, maximalist demands on the border.

Last week, we put forth a serious bill to address our national security needs. The package included robust border security provisions. Republicans rejected it out of hand, demanding their way or the highway, even though they were offered an amendment of their choosing—and they only need 11 Democrats to go along.

This posture is unserious. Again, Republicans and only Republicans are holding everything up because of unrealistic, maximalist demands on the border.

I want to be very clear. Democrats very much want an agreement if possible. We talked all weekend with our Republican counterparts to find some kind of agreement. We talked again earlier today. We are not there yet, but as a sign of good faith, Democrats are going to keep trying.

If Republicans keep insisting on Donald Trump's border policies, then they will be at fault when a deal for aid to Ukraine, Israel, and humanitarian aid to Gaza falls apart. The onus is on Republicans to show they are willing to moderate.

Let me say that again. If Republicans keep insisting on Donald Trump's border policies, then they will be at fault when a deal for Ukraine, Israel, and humanitarian aid to Gaza falls apart. Republicans will be giving Vladimir Putin the best gift he could ask for.

Democrats are serious about reaching reasonable, bipartisan compromise to pass this package. The question is if Republicans are now willing to do the same.

NATIONAL DEFENSE AUTHORIZATION ACT

On NDAA, at the beginning of December, I said the Senate has three major priorities before the end of the year.

First, we needed to end the blanket holds on hundreds of military nominees by the Senator from Alabama. We have now done that. Before we finish for the year, the Senate plans to move to confirm the 11 four-star military officers awaiting confirmation.

Second, we must pass the annual Defense authorization bill, which has been one of the most bipartisan priorities in Congress for over 60 years. This will be our focus on the floor this week.

Third and hardest of all, we must reach an agreement on the national security supplemental. We are still working, and while we are not near an agreement yet, we are going to keep pushing as the week progresses.

Last week, I filed cloture on the NDAA conference report, and we expect to move forward on the NDAA conference report after lunch tomorrow. At a time of huge trouble for global security, passing the Defense authorization bill is more important than ever.

This year's NDAA makes strong downpayments in outcompeting the Chinese Communist Party, particularly by approving President Biden's trilateral U.S., U.K., and Australia nuclear submarine agreement. We have been working on AUKUS all year. It is one of the most important tools we have against the Chinese Government, and it is a major accomplishment to get it done.

I want to thank the chairman of the Armed Services Committee, JACK REED, and Ranking Member WICKER for their good work in shepherding this bill through committee and through the conference process. I commend all conferees for their good work over the past few weeks.

I thank my colleagues for working together to ensure the Senate's six-decade streak of passing the NDAA remains unbroken.

JUDICIAL NOMINATIONS

Mr. President, now on judges and nominations, today, the Senate will confirm the 39th circuit judge under President Biden—Richard Federico to be circuit court judge for the Tenth Circuit.

Mr. Federico is precisely the type of judge we need on our circuit courts—a brilliant legal mind who has dedicated his life to service as a lawyer in the Navy and as a public defender.

Thanks to the work of President Biden and the Senate majority, we have confirmed more public defenders to circuit courts than under any President in history. Of course, we also confirmed the first-ever public defender to sit on the U.S. Supreme Court, the great Justice Ketanji Brown Jackson.

Now this Senate majority has confirmed over 160 judges to lifetime appointments on the bench, including more Black judges, more women judges, and more judges of color than the full first term of any other President; more women to circuit courts than any President in their entire time in office; the first Muslim-American woman on the Federal bench; the first Navajo Federal judge; and, of course, as I mentioned, the first Black woman on the Supreme Court, Justice Ketanji Brown Jackson.

All year long, this Senate majority has prioritized confirming judges who add to the bench's personal and professional diversity, and we are going to continue going into the new year.

STUDENT LOAN DEBT

Mr. President, now on student debt and the letter we sent, today, I sent a letter with several of my Democratic colleagues, including Senators WARREN, PADILLA, and SANDERS, to the Secretary of Education urging him to continue the Department's expansion of student debt relief to working- and middle-class borrowers.

The Biden administration has already taken historic steps to reduce the burden of student loan debt for tens of millions of Americans, but following the Supreme Court's cruel ruling blocking student debt relief, too many borrowers remain saddled with massive and in many cases unbearable amounts of debt. We can and must do more to help these borrowers.

As the Education Department is engaged in the rulemaking process for student debt relief, our letter specifically urges the administration to, No. 1, eliminate all debt that exceeds the original principal balance of the loan; No. 2, provide full cancellation for borrowers who have repaid enough to cover their original principal; and No. 3, extend relief to borrowers victimized by student loan servicer misconduct or error and other commonsense measures to help borrowers.

I want to thank Senators WARREN, PADILLA, and SANDERS, as well as Representatives PRESSLEY, OMAR, and WILSON, for their leadership on this letter. I look forward to working with the Biden administration to make sure relief reaches every borrower in need.

ALBANY NANOTECH

Mr. President, now on Albany NanoTech, earlier today, I joined Governor Hochul and Albany leaders to announce a historic \$10 billion public-private partnership to make the Albany NanoTech Complex the most advanced center for semiconductor research in the entire world. It is a landmark day for the capital region in New York. That is Albany, Schenectady, and Troy in that tricity area.

This \$10 billion partnership, spurred by the CHIPS and Science Act, will bring the most cutting-edge semiconductor machinery on the planet to Albany and propel Albany NanoTech as the premier global center for semiconductor research.

Today's announcement will mean hundreds of new, high-paying tech jobs, hundreds of construction jobs, and a tidal wave of scientific innovation that engineers today cannot even fathom.

When I wrote the CHIPS and Science Act, I had precisely regions like Albany and Upstate New York in mind because these communities have so much to offer for America's semiconductor future.

As we enter the home stretch for the selection of the major hubs of the National Semiconductor Technology Center, today's \$10 billion announcement will strengthen Albany and Upstate New York's case as the best region to lead the next generation of innovations in America's microchip industry.

Today's announcement comes on the same day as the announcement by the Commerce Department of the first funding agreement from the CHIPS Incentives Program. BAE Systems will receive \$35 million to quadruple its production capacity for chips essential to our national security, including for F-35 fighter jets. This award, like today's announcement in Albany, shows that the CHIPS and Science Act is delivering for American workers and for our national security.

So it is an exciting time for New York tech, with major announcements from companies like Micron, IBM, GlobalFoundries, and so many others made possible because of CHIPS and Science. And I believe the best for New York's semiconductor industry is still to come.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Mississippi.

MILITARY NOMINATIONS

Mr. WICKER. Mr. President, a major item in the news last week was that the senior Senator from Alabama, Senator TUBERVILLE, released holds on over 400 military promotions. As usual, media reports framed the situation in much the same way as the Biden administration had. Both the President and the press focused on the holds instead of the policy the holds protested. They claimed my Senate colleague manufactured a crisis. The truth is that it is the President's political appointees who have been manufacturing the crisis from the start.

Let's go back. In the summer of 2022, the Supreme Court handed down its landmark Dobbs ruling. Almost immediately, the Under Secretary of Defense for Personnel claimed the decision would have "significant implications . . . for the readiness of the force." The abortion decision named "Dobbs" would have "significant implications . . . for the readiness of the force." Again, he claimed that the Supreme Court's decision, which essentially returned abortion decisions to the States, would have "significant implications . . . for the readiness of the force."

Let's all agree that readiness is vital to our success. Military readiness is

our No. 1 job. The United States faces the most dangerous national security situation in decades. China's military strength is growing at an alarming rate. Russia has brought war to Europe. Iran is actively attacking our troops. North Korea continues to develop dangerous weapons.

In the face of such a complicated web of threats, we must take military preparation seriously. Our precarious situation makes it irresponsible for anyone to fearmonger about readiness in order to advance a political agenda. Yet that is what we must conclude the President's appointees at DOJ have done.

They contend that the Dobbs decision hurts readiness, so, in response, Republicans have repeatedly asked for proof that Dobbs harms readiness. I have personally, as ranking member of the Armed Services Committee, asked for proof that Dobbs harms readiness, and the administration has refused to provide that evidence. In truth, that is because the evidence does not exist. At this point, it is pretty clear that Biden officials are avoiding the question because they do not like the answer.

It is difficult not to see that the President, and not my colleague from Alabama, is the one who precipitated the crisis.

To solve this imaginary emergency, the administration released what they called the reproductive health policy. The creative title failed to disguise what is a clear attempt to use taxpayer dollars illegally for abortion, contrary to the Hyde amendment. Under the rule, servicemembers are granted compensated time off, as well as monetary reimbursement for travel costs incurred, to receive an abortion. This policy violates popular opinion, and it violates the law.

Most Americans oppose late-term abortions, but a DOD official begrudgingly admitted to me in testimony that the policy would facilitate abortion at the very latest stages of pregnancy, in the eighth or ninth month. The provision spends tax dollars to facilitate abortions conducted mere days before a child's due date. That is just a fact.

Again, the administration claims this policy is necessary to solve a readiness problem created by Dobbs, but if Dobbs is such a threat, we could have reasonably expected wide usage of the travel policy. Despite the administration's stonewalling, I have obtained information indicating that just 12 women during this entire time have taken advantage of the reimbursement—just 12. Over 1 million Americans serve in our Armed Forces, but 12—not 12,000, not 1,200, but 12—have so far used this abortion travel reimbursement program. So the Biden administration cannot provide proof that Dobbs created a crisis for national defense.

We do have evidence that other administration priorities are harming our Armed Forces. The U.S. military faces a recruiting challenge, but the Biden administration is making it worse. The

President has instituted a woke diversity, equity, and inclusion bureaucracy at the DOD which is souring servicemembers' views of the military. A survey of Active Duty troops found that 7 in 10 are concerned about the politicization of the military. That same percent said that politicization would affect whether or not they would encourage their children to enlist. We know that family ties are the No. 1 way we recruit new servicemembers. When the Biden administration injects politics into the Armed Forces, it weakens that recruiting channel, and we see the results of that weakening.

In this year's national defense legislation, Republicans successfully included a number of important provisions curbing that woke agenda; but, regrettably, Democrats ended up blocking our efforts to end the DOD's illegal abortion travel policy. We will continue in future Congresses to resist that travel policy.

Last year's Dobbs decision was a monumental victory for the Constitution, our country, and, most importantly, for the unborn. It was the culmination of decades of dedicated work by pro-life groups, and I salute them. These groups understood how the Framers built our political process, and they patiently used their voices to advocate for the unborn in our democratic system. They were rewarded for their faithfulness that they exhibited during nearly 50 years under Roe.

During this time, the Biden administration has refused to play by the rules, and they grasp at ways to circumvent the Supreme Court's ruling. We intend to promote, in the next phase of our effort, a culture of life and to refocus the Pentagon on its national defense mission. The pro-life movement has always been a coalition of energetic volunteers, resilient advocates, and elected officials, and we will continue to work together to fight for the unborn.

And one final bit of very good news: Since the Dobbs decision was announced in 2022, approximately 30,000 babies have been born who would, otherwise, not have had an opportunity to experience life. That, in essence, is what this fight has been about and what it will continue to be about.

The PRESIDING OFFICER. The Senator from Iowa.

SENATE JUDICIARY COMMITTEE

Mr. GRASSLEY. Mr. President, today, I want to address the ill-advised and really unacceptable conduct at the November 30 Judiciary Committee executive meeting. The majority there didn't allow a single Republican amendment to the adoption of the subpoena authorization, and that was breaking with precedent. Contrary to what Democrats allege, when I was chairman, I followed the rules and let everyone speak who wanted to so speak. I even allowed them to offer resolutions during a confirmation process, which I could have ruled out of order. Simply put, this subpoena authoriza-

tion isn't based on oversight; it is based on overreach. It is a political hit.

Over the past 6 months, the left's web of dark money interest groups has tried to impugn the character and reputation of certain conservative members of the Supreme Court. This Democratic investigation into the Supreme Court totally ignores ethical questions and dark money networks surrounding liberal Justices. This is all part of a whirlwind effort to cast doubt on our country's highest Court and call into question the legitimacy of its rulings. Conservative Justices have been specifically targeted, harassed, and even threatened. The left's influence-peddling scheme views these conservative Justices as the greatest obstacle to jamming their radical agenda through our courts because Congress won't do the same liberal bidding.

The left has outlined new rules for conservative Justices: Justices' spouses must give up their independent law practices; Justices shouldn't vacation with close personal friends; Justices shouldn't have wealthy friends; and Justices shouldn't make any new friends after donning the robe.

How unfair and how unrealistic. No such conflicts of interest ever were raised during the Court's liberal years. These rules were not invoked against the Court's liberal Justices. This persistent political battering of the Judiciary is coming at a tremendous cost. The conservative Justices have endured real threats to their safety and the safety of their loved ones.

As I have said before, judicial decision-making must be based on law and sound jurisprudence. It shouldn't be subject to the whims of public opinion or clamor. It cannot be the result of threats and intimidation of Supreme Court Justices. This political hit by the Democratic majority of the committee will do lasting damage not only to the Court but to the committee. Again, this effort isn't really oversight as I like to do, and we do a good job of it; instead, it is about political theater.

Let me give some examples of how an investigation should be conducted.

During my time as chairman of the Judiciary Committee, starting in 2017, the committee investigated, in a bipartisan fashion, alleged collusion between the Trump campaign and the Russians. Bipartisan committee staff—I want to emphasize that—bipartisan committee staff interviewed five individuals who participated in that meeting, including President Trump's son, and collected documents from several others involved. At the Democrats' request, the committee interviewed an additional six individuals. I subpoenaed even Paul Manafort, with then-Ranking Member Feinstein's agreement for him to appear at a hearing and to provide testimony. With the exception of Democrats refusing to subpoena Fusion GPS and related parties, then-Chairman GRAHAM's 2020 Crossfire Hurricane subpoena authorization was based on years of bipartisan work.

As I have thought more about my Democratic colleagues' apparent laser focus on government ethics, it is clear that they have totally ignored the biggest, most obvious ethical fact pattern that requires investigation, and that is of the Biden family.

Since August 2019, Senator JOHNSON and I have investigated the Biden family's connections to foreign governments and questionable foreign nationals. We issued two reports and gave three floor speeches that made public hundreds of bank records. Our findings showed criminal activity, to include potential money laundering, with respect to members of the Biden family and their business associates and the use of public office for private gain.

Well, with respect to the Hunter Biden-related accounts, some have also been flagged for potential human trafficking. As Senator JOHNSON and I noted in our September 23, 2020, Biden family report, Treasury records show thousands of dollars in financial transactions involving Hunter Biden and Ukrainian and Russian women. These Treasury records link those women to Eastern European prostitution or human trafficking rings.

At this Judiciary Committee executive meeting that I have been speaking about, Democrats failed to consider my amendment to gather more facts on this abuse against women. Senator JOHNSON and I made public a bank record that showed Hunter Biden received \$1 million from a Chinese company that was an arm of the communist regime for representing Patrick Ho. Patrick Ho was charged and convicted for bribery and related Federal offenses. Now, guess what. Hunter Biden called Patrick Ho the spy chief for China. Based on the known facts, it appears that Hunter Biden was effectively a foreign agent of the communist regime.

The Judiciary Committee maintained jurisdiction and still maintains jurisdiction over the Foreign Agents Registration Act and the Justice Department's enforcement of it. Yet, the Democrat-led committee has ignored the law and the Biden family.

In July of this year, I obtained and publicly released what is now called the Biden family 1023. This FBI-generated document is based on information provided to a long-serving FBI confidential human source. The FBI document shows a criminal bribery scheme. The criminal scheme included Joe Biden and Hunter Biden each being paid \$5 million for Joe Biden to take a policy position in favor of a foreign national. That policy position was ultimately taken. Joe Biden even bragged about it, and you can see, fairly regularly, his voice and his face talking about this—what he did to the Ukrainian Government to get somebody fired. The 1023 used the phrase "Big Guy" to describe Joe Biden before the "Big Guy" description was publicly known months later. Different people at different times in different parts of the

world independently used the same code name to describe Joe Biden.

Do my Democratic colleagues believe that it is just a coincidence? The 1023 includes references to audio recordings with Joe Biden, text messages, and records allegedly proving bribery criminal activity, and that it was real.

What have my Democratic colleagues done to investigate that evidence? What has the Biden Justice Department done?

The Tony Bobulinski interview noted that the Biden family would receive a multimillion-dollar unsecured loan, intended to be forgivable, from the energy company in China called CEFC. That would serve as payments for actions Joe Biden took during his Vice Presidency.

This financial strategy to illegally treat income as a loan is consistent with the IRS whistleblower testimony that indicated Hunter Biden attempted the same with respect to other income. These facts and allegations indicate criminal activity, money laundering, bribery, tax evasion, and significant ethical violations.

And, by the way, the Hunter Biden tax indictment mentioned financial transactions that my and Senator JOHNSON's work exposed years ago.

Look at indictment paragraphs 10, 11, 12, 13, 14, and 100. Compare them with the other two reports from 2020 and three floor speeches last year.

My Democratic colleagues have shown zero interest in knowing, understanding, joining forces, or advancing this 4-year-old investigation. Instead, they have shown willful blindness to protect the President and family.

One of my Democratic colleagues said the right thing when we considered then-Chairman GRAHAM's subpoena authorization. Senator WHITEHOUSE brought up an amendment to "reinforce his point made at the last meeting about the selective enthusiasm of [the Judiciary] Committee for getting to the bottom of things and what appears to be a policy at the Department of Justice of refusing to answer Committee members' letters and Committee members' questions for the record."

The U.S. Congress has a constitutional mandate to conduct oversight of Republican and Democratic administrations without any political bias for either. We have a duty to ensure the Justice Department and the FBI consistently enforce the law without regard to politics.

Judiciary Committee Democrats were eager to engage in the FBI's Trump-Russia investigation before it was totally debunked. However, they were very eager to falsely attack my and Senator JOHNSON's Biden family investigation as Russian disinformation. Sadly, I haven't seen the same enthusiasm from the other side now that a Democratic political family is under the microscope.

If it is criminal and ethical questions my Democratic colleagues are inter-

ested in, then the Judiciary Committee should, in a bipartisan fashion, bring the family members for interviews and obtain records from them. No, the Democrat majority wants to investigate Supreme Court Justices and, of all nine of the Justices, only the conservative ones. So I can only conclude the Democrats' brand of oversight is more about politics than fact finding.

WHISTLEBLOWERS

On another subject, Mr. President, I come to the floor to bring attention to three brave Department of Homeland Security whistleblowers: Mark Jones, Mike Taylor, and Fred Wynn.

These three whistleblowers came to my office to report retaliation and government misconduct. People like this, I say they ought to be considered heroes, instead of like skunk at a picnic, as sometimes whistleblowers are treated by our bureaucracy. The retaliation that they told me about has been extensive and long enduring.

In 2018, these whistleblowers made legally protected disclosures to the Office of Special Counsel and Customs and Border Protection. They legally disclosed information about delays and the failure to collect DNA from detained illegal immigrants based on the DNA Fingerprint Act of 2005 and subsequent regulations.

An August 21, 2019, letter from the Office of Special Counsel to the President substantiated these whistleblowers' disclosures, stating:

The agency's noncompliance with the law has allowed subjects subsequently accused of violent crimes, including homicide and sexual assault, to elude detection even when detained multiple times by [Customs and Border Protection] or Immigration and Customs Enforcement. . . . This is an unacceptable dereliction of the agency's law enforcement mandate.

I don't know how you can get a stronger statement from a nonpolitical division of our government about information not being properly used to stop wrongdoing.

After making their protected disclosures, all three whistleblowers were retaliated against. That gets back to my "skunk at a picnic" of how whistleblowers are treated by the bureaucracy. They aren't treated as the patriots they ought to be treated as. All they want the government to do is what the government is supposed to be doing, what the law requires, and how the money should be spent.

From February 2018 to the present, Customs and Border Protection officials subjected these whistleblowers to significant changes in duties, responsibilities, and working conditions. That is how you get treated if you are a whistleblower.

After harsh retaliation, Fred Wynn left Customs and Border Protection's Office of Intelligence to work for the U.S. Border Patrol doing management and program analysis work.

Mr. Jones and Mr. Taylor didn't receive a performance award any year after their disclosures, for the first

time in all of their employment at Customs and Border Protection. They had an overall reduction in pay and have been removed from their supervisory positions, negatively impacting promotional opportunities—once again, like a skunk at a picnic.

The Office of Special Counsel also identified an intentional nonpromotion for Mr. Jones. Additionally, Customs and Border Protection removed credentials, law enforcement authorities, firearms, and law enforcement retirement coverage for Mr. Taylor and Mr. Jones. The removal of one's firearm and one's credentials is the ultimate act of personal and career retaliation against Federal employees.

I have been told that Mr. Jones and Mr. Taylor discovered that one senior official who was aware of their ongoing retaliation refused to commandeer their firearms and credentials without a letter from senior officials—another person retaliated against.

Customs and Border Protection officials refused to provide the letter. The senior official who refused to participate in this retaliatory scheme then was involuntarily transferred out of his law enforcement position and stripped of premium pay in July of this year. So another person was retaliated against.

The Office of Special Counsel said its investigation supports a conclusion that government action against these three whistleblowers constituted a prohibited personnel practice. To put it plainly, the government violated Federal law and retaliated against these three brave whistleblowers.

On August 18 of this year, I sent a letter to Secretary Mayorkas and the current head of the Customs and Border Protection, Troy Miller. I asked what they have done to correct the retaliatory actions and take disciplinary action against the retaliators. As you might expect, both have failed to respond, which is not uncommon, after telling Congress—when these people come up for confirmation, we always ask them: Will you answer our letters, answer our phone calls? Will you come and testify before Congress? They always say yes. In the end, I tell them: Maybe to be honest, you ought to say maybe.

But instead of responding to Congress, Mr. Miller's Customs and Border Protection provided a public comment to the New York Post on August 22. It said this:

The Office of Special Counsel . . . terminated its investigation into these claims without issuing a Prohibited Personnel Practice Report or seeking corrective action.

The Office of Special Counsel told my staff multiple times that they did, in fact, seek corrective action with Customs and Border Protection. Customs and Border Protection's public comment is, then, a lie, or demonstrably false.

On September 11 of this year, I sent a followup letter to further address their failures to protect these whistleblowers and demand a public retraction. Sec-

retary Mayorkas and Mr. Miller failed to respond. But, again, Customs and Border Protection provided a public comment to the New York Post, saying about my letter: "This is a mischaracterization of this issue based on incomplete records, and we are unable to comment further based on open litigation regarding these cases"—something bureaucrats regularly hide behind, with a quotation like that.

On September 27 of this year, I wrote another letter to Secretary Mayorkas and Mr. Miller demanding they explain their second inaccurate public comment. Customs and Border Protection, but not the Department of Homeland Security, provided a response on October 17.

That letter said:

The Office of Special Counsel didn't issue a final report finding a prohibited personnel practice and didn't initiate corrective action litigation before the Merit Systems Protection Board . . . on the petitioners' behalf.

Did anyone catch that distinction? The public comment said "corrective action." The letter said "corrective action litigation."

Corrective action can take many forms and doesn't always include litigation—for example, negotiating with the parent Agency to put a whistleblower in a position they were in before retaliation occurred. Customs and Border Protection attempted a sleight of hand. That sleight of hand has failed. The Customs and Border Protection letter makes clear its public comments were false, and they were the ones to offer mischaracterizations to the public.

Secretary Mayorkas has failed to take action despite my oversight efforts. Mr. Jones, Mr. Wynn, and Mr. Taylor are still struggling from the many acts of retaliation that have been taken against them for speaking up to protect Americans. But this Senator won't stop fighting for them and the dozens of other whistleblowers who have come to my office. There must be accountability for what has happened to these patriotic Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, this week, at long last, the Senate will vote on the National Defense Authorization Act conference report.

Each year, the Defense Authorization Act is how we demonstrate our support for the men and women in uniform—how they are paid, how they are equipped, how they are trained—and how our alliances are strengthened.

Given the incredible number of threats that exist in today's world, preserving our military readiness has never been more important. There is a war in the Middle East, a war in Europe, and growing tensions in the Indo-Pacific. I was reading this morning there are more wars and conflicts today than there have been literally at almost any time in history. We live in

a dangerous world, and maintaining our paramount strength and the deterrence that flows from that is absolutely imperative.

That is why the Defense Authorization Act is so important. Each year, it allows us to take stock of the evolving threat landscape and to take corrective actions. This year's Defense bill prioritizes long-term strategic competition with China. It will help replenish our defense stockpiles from the weapons that we have been supplying Ukraine so that they can defend themselves against unjustified Russian aggression, and it will help us maintain our own state of readiness and the deterrent effect that goes along with it. This bill will also support modernization efforts across the board, from the nuclear triad to next-generation weapons.

This year's NDAA also authorizes military construction projects across the country, including \$230 million for military construction projects in Texas alone. That includes \$48 million for a cyber operations center and \$20 million for a child development center at Joint Base San Antonio. It is really important to understand that in an All-Volunteer military, it is important not only to view this as service by just the member who wears the uniform but also the entire family. So trying to make sure that we take care of things like a child development center at Joint Base San Antonio ensures our ability to continue to recruit and retain highly qualified individuals to serve in our All-Volunteer military.

This bill also has \$20 million for barracks improvements and nearly \$6 million for tactical equipment maintenance facilities at Fort Cavazos. It has \$74 million for a new rail yard spur at Fort Bliss. This is so, should troops need to be deployed from Fort Bliss, they can almost immediately be loaded onto a rail and then sent to the port at Beaumont and other ports for disembarkation.

And this is just scratching the surface. So, simply put, the NDAA will support our troops, strengthen our military readiness, and implement a raft of reforms to strengthen our national security.

Included in this bill is the Intelligence Authorization Act, which includes the Sensible Classification Act that I introduced with Senator WARNER earlier this year. It had become apparent to me that our classification system had been overused, and too many people were able to classify documents and keep them out of public view without any real rhyme or reason.

This is particularly important given the nature of our Republic where the public has a right to know what their government is doing. Now, certainly—and this bill does protect sensitive classified information when it is important to our national security, but it is important to make sure that that classification process extends no further than is absolutely necessary and

that once the risk of public disclosure lapses, that that information be subject to declassification, which is what the Sensible Classification Act does.

The classification of sensitive information gives us an invaluable edge when it comes to planning and preparing for threats all around the world, but there is a very thin line between strategic classification and excessive secrecy. Of course, political accountability is a critical part of self-government, and given the all-too-human, natural incentive to trumpet successes and hide mistakes, excessive secrecy undermines that accountability, which is essential to our system of government. If too much information is withheld from the public, it can sow distrust.

Without transparency, there can be no accountability, and without accountability, there is no confidence that the government is acting in the best interest of the American people. It is obvious that there is a need to recalibrate the balance between the public's right to know and the need to protect and defend our Nation, and that is what this important provision of the National Defense Authorization Act does. It will increase accountability and oversight of the classification system by requiring training to promote sensible classification and efficient declassification. Declassification, as I indicated, after the need for secrecy goes away, will allow information to become public so we can learn from our history, and we can learn our history as well.

This bill requires Federal Agencies to justify security clearances. Too many people have security clearances, which actually contribute to the overclassification of information. We need to limit security clearances and access to classified information to those who truly need it in order to keep our Nation safe. This legislation will help protect the integrity of America's classification system and help provide some additional trust in the government, I hope, and I am glad it will soon be heading to the President's desk for his signature.

There is another important provision in the National Defense Authorization Act that is very important as well, and that is an extension of section 702 of the Foreign Intelligence Surveillance Act, which is set to expire at the end of this year unless it is extended. But we all know this law is not without some controversy.

Still, the Foreign Intelligence Surveillance Act and section 702, in particular, is one of the most important and consequential laws that most Americans have never even heard of. This authority is the key to detecting and disrupting threats to our safety and our security. For example, information acquired through section 702 has helped identify threats to our own troops and thwart planned terrorist attacks both here at home and abroad.

It has enabled the U.S. Government to stop components for weapons of

mass destruction from reaching our foreign adversaries. It has helped us disrupt our adversaries' efforts to recruit spies on American soil or send their operatives to the United States once recruited overseas.

It has also helped us understand and combat fentanyl trafficking, a drug which took 71,000 American lives last year alone.

It has helped us identify foreign ransomware attacks on U.S. critical infrastructure and uncover war crimes and gruesome atrocities in places like Ukraine.

For virtually every national security threat America faces, section 702 is an essential asset. There is a reason why it is known as the crown jewel of America's intelligence-gathering capabilities. But as I said a moment ago, despite the importance of this law, this authority is not without some controversy, and unfortunately we have been unable to resolve all of that controversy into an agreed statute with appropriate reforms. So this temporary extension is important to give us the time and the space to be able to do that.

In recent years, we have learned of some abuses of our intelligence authorities. But I want to be clear: The targeting of Americans is expressly prohibited in section 702. In fact, you can't target foreign adversaries on American soil—only overseas. This is very limited in its application. This authority allows the intelligence community and the Department of Justice to obtain intelligence on foreigners located outside the United States. It cannot be used to target U.S. citizens, whether on American soil or elsewhere.

Now, where this issue gets thorny is because of the so-called incidental collection of the identity of Americans. So when a foreign national communicates with somebody in the United States—obviously, a U.S. person, defined as a legal permanent resident or a U.S. citizen—there will be incidental collection of that communication between the foreigner and the American.

As an example, let's say the intelligence community is using 702 to monitor the communications of a Hamas terrorist in Gaza who is believed to pose a danger to our national security. He is not on American soil, and he is not an American citizen, but he is using U.S.-based communication networks.

One of the people that Hamas terrorists in our hypothetical is communicating with is an American on U.S. soil, and through a series of text messages, the intelligence community is able to discern that the two are planning an attack on civilians in New York City.

This is a fairly typical sort of collection using this important authority, and you can understand why it is important to be able to retain that ability to discern these sorts of attacks and this sort of planning by our adversaries against us.

So in this case, even though the American is not the target of the collection, the conversation would be visible because the person he is communicating with is a foreign target. But the intelligence community has a whole set of protocols and procedures to protect American citizens and U.S. persons even in this sort of incidental collection. There is a series of minimization procedures intended to limit the distribution of this information to make sure that it is not subject to abuse.

So let's say that the FBI wants to get some more information about that U.S. citizen on American soil. They then have to go to the Foreign Intelligence Surveillance Court and demonstrate probable cause that that American citizen or U.S. person is a threat to U.S. public safety. And they have to get a warrant involving that U.S. citizen—U.S. person.

So in this hypothetical terror plot, we are looking at a clear and imminent threat to people on American soil, and clearly that is something that the FBI would want to take a closer look at.

Congress has designed this authority to provide intelligence professionals with timely and actionable intelligence in a way that protects the privacy and the rights of American citizens, but unfortunately we know that occasionally we will find abuse of those authorities. For example, in 2020 and early 2021, it was revealed that hundreds of thousands of improper searches had been made using the 702 database.

Now, I, like most other people I know, were outraged by these abuses, and the American people should be outraged when these authorities, as important as they are, are used improperly. This represents a violation of trust by some of our Nation's most powerful law enforcement Agencies.

Given these abuses, some of our colleagues have suggested that we simply allow this authority to lapse, but the truth is, we can't cut off our nose to spite our face. Instead of nixing it, we need to fix it, and that is what we need the time to do that this temporary extension will provide.

Losing section 702 authority would make the American people vulnerable to a range of threats. Instead of tossing this authority aside, we simply need to reform it. I say "simply"—we need to reform it.

Last week, FBI Director Christopher Wray testified before the Senate Judiciary Committee and talked about the abuses of 702 authority. He described these failures appropriately as "unacceptable" and spoke about the raft of reforms he has implemented to address the problem.

The FBI has improved its systems, enhanced training, added oversight and approval requirements, and adopted new accountability measures. It has also launched a new Office of Internal Auditing that is focused specifically on FISA compliance. The data show that these reforms are actually working.

The Foreign Intelligence Surveillance Court found that agents complied with FISA requirements 98 percent of the time. And the number of searches of the 702 database fell by 95 percent from 2021 to 2022. Obviously, this is not 100 percent. It is not perfection. But these are commendable signs of progress.

(Ms. BUTLER assumed the Chair.)

Given the understandable concern here in Congress with reforming the way section 702 operates, primarily as it applies to American citizens, the NDAA gives us more time to get it right—something we have not had to this point. Once it is signed into law, Congress will have until April 19 to advance a longer term 702 reauthorization.

In both the House and the Senate, Members are diligently working to reauthorize this authority in a way that protects the foundation of this intelligence-gathering tool while strengthening privacy protections for the American people.

As always, we have to ensure these enhanced protections don't create new problems. We don't want to create inadvertently loopholes that could be exploited by our adversaries or hamper law enforcement's ability to hold criminals accountable.

I hope we can build on the progress that has been made by codifying the FBI's changes and taking additional measures to protect the privacy of the American people.

The information and dot-connecting that is made possible through 702 is absolutely essential. It allows us to stay a step ahead of our adversaries and mitigate threats to the United States and the American people. It is an invaluable and irreplaceable component of our national security, and we need to be thoughtful and deliberate about the steps we take to preserve it and, more importantly, to reform it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

TENNESSEE STORMS

Mrs. BLACKBURN. Madam President, in Tennessee, our hearts are absolutely breaking for the families and the communities that have been impacted by the storms that raced across our State this weekend. We are mourning the loss of six Tennesseans—two children in that number—and dozens of individuals have been injured and hospitalized. The storm left thousands without power. It destroyed homes and businesses.

I want to express my thanks to the first responders, the emergency management officials, and the volunteers who immediately jumped into action to support these families and to help those who have lost their businesses, their homes, and the families of those who lost their lives. They have made such a difference. Each and every one of these volunteers and officials has made such a difference in what is going to be a very long road to recovery.

My team has been in touch with the White House, with the Governor's of-

fice, with local elected officials, and we are working to ensure that the full force of the Federal Government mobilizes behind these communities in order to help them recover.

JUDICIAL NOMINATIONS

Madam President, late last month, Democrats did something unprecedented in the history of the Senate Judiciary Committee: They blocked the opposing party from speaking on judicial nominees ahead of rollcall votes. This was a gross violation of committee rules. It is not something we generally see take place in the Judiciary Committee. But if you look at the track records of some of these radical, far-left nominees, you can see why the Democratic Party does not want these individuals to be up for discussion.

Let me give an example of some of these individuals who have been nominated for the Federal bench. Now, bear in mind that appointments to the Federal bench—for the district court, for the appellate court, and, of course, the Supreme Court—are lifetime appointments. So the only time the representative of the people—that the people can be heard pro or con on these nominees is in the committee, is in this Chamber, because it is a lifetime appointment.

Judge Mustafa Kasubhai is one of these nominees. There were several of us on the Republican side of the aisle who wanted to speak about him, but we were blocked from talking about him.

The concern that I have with him is that Judge Kasubhai has actually defended Marxism. In his words, in his writings, he has defended Marxism. He has argued against private property rights, and he has called our Nation "deeply Islamophobic." That is what he believes, and that is what he has written and talked about.

He has also made some deeply disturbing comments about sexuality, women, and rape. For example, he helped promote a radical, leftist view that all heterosexual relationships—all; not some but all—are infused with violence and that all sexual acts should be viewed as rape. That is his point of view. This appalling argument silences women who have actually been victims of sexual assault. Yet my colleagues across the aisle, the Democrats, want this man in the courtroom, making life-and-death decisions about women. They want him making decisions about rape and sexual violence. They want him making decisions about property rights when he has spoken out against property rights.

Worst of all, Judge Kasubhai has shown alarming leniency when it comes to violent criminals. As a prosecutor, he recommended a sentence far below guidelines for a man who drugged, raped, and brutally abused girls as young as 10 years old. He wanted leniency for this guy for those crimes of drugging, abusing, and raping girls as young as 10 years old. How many of you know a 10-year-old girl?

Judge Kasubhai didn't just say that because it was one count or two counts;

this guy had done this for 15 years. That is what you call a serial perpetrator—15 years. Think about that. But, no, let's let him off. Let's give him leniency. And let's not protect private property of individuals. Let's not protect women who have been sexually abused. Astounding.

Judge Kasubhai, on that case, with a guy who had drugged, raped, and brutally abused girls as young as 10 years old over a 15-year period of time—he wanted just over 10 years in prison for this guy. And he had committed these crimes for 15 years—for 15 years. He committed some of the most heinous crimes imaginable against children. Even though this guy's risk of recidivism was very high, Judge Kasubhai was willing to let him go with 10 years in prison.

I am telling you, Judge Kasubhai's track record is disturbing. It is despicable. It is disqualifying. But the thing that probably should disturb each of us is that not only is this guy unqualified, so are a host of others. Let me tell you about some of the others who have been up for discussion. Some of these have moved on through the system.

There is Nancy Abudu. Nancy Abudu endorsed political violence against conservatives. Go read her Twitter feed. It would be astounding. She was very involved with the Southern Poverty Law Center, but she supported violence against conservatives—against me. Would you want to go into a court and be in front of a judge who was an activist and supported violence against people? I would think not.

There is Todd Edelman. He has been the nominee, and he is there with the DC district court. Todd Edelman used his authority to release a known criminal. This is someone with a record who then went on to participate in the murder of a child. So the guy has a criminal record, and he gets off. Then he goes on and he participates in the murder of a child. That was a decision from Todd Edelman.

Then, for the California District, Marian Gaston. She opposed residence restrictions for convicted child sex offenders. So she doesn't even want them to have home confinement. Just let them go, let them be out there.

DeAndrea Benjamin over at the Fourth Circuit released violent criminals on bond. Well, guess what happened when DeAndrea Benjamin released them on bond. What happens when violent criminals are let go? They go do it again.

It is as if this White House does not understand who needs to be on the Federal bench.

There is another one I want to talk about: Seth Aframe. He is a First Circuit nominee. He is out of New Hampshire. Mr. Aframe's background is something that I think is disqualifying for someone to be on the Federal bench, and let me explain why I believe this.

Mr. Aframe gave lenient sentences to pedophiles who abused children.

Let me give you a couple of examples of this abuse. One was a pedophile who apprehended, kidnapped a 14-year-old girl who was deaf. So this pedophile kidnaps a 14-year-old girl and he takes her across the State line into Vermont and he takes her to an abandoned motel and he rapes her. This is what the guy did.

Now, the second one he let off, that he went for leniency, was a 3-year-old child that he repeatedly raped.

Now, showing you that this pedophile had planned all this out, he befriended the parents of the 3-year-old girl and then he abused that friendship and he raped this child. This guy was sick.

The sentencing guidelines for each of these two pedophiles and their crimes—the sentencing guidelines call for life in prison. That makes sense. You go out, you kidnap a 14-year-old girl; you take her across State lines; you take her to an abandoned motel, and you rape her—and this is a 14-year-old who is deaf. You take a precious little 3-year-old girl, after you have befriended her parents, knowing you are going to do this because you have got a record, and you rape a 3-year-old child and then you produce videos of yourself carrying out these crimes—these are sick, sick, sick animals.

But, no, Mr. Aframe, he goes for leniency. Instead of going for life in prison, he wanted that sentence lowered. He got his way.

Now, here is what he said about the pedophile who had raped the 14-year-old girl who was deaf. Of that pedophile, he said—following his sentencing and giving him the lower sentence—that by the time he got out of prison, he should be over 60 years old and maybe his desire would have passed. This is sick.

These people are not qualified, and I am going to continue to talk about these judges who are not qualified.

BORDER SECURITY

Madam President, last week, border encounters with illegal immigrants reached 12,000 in a single day, the first time that has ever happened in our Nation's history.

This border is not closed; this border is wide open, and the cartels, fentanyl, and terrorists are streaming across it in record numbers—yes, 12,000 in a day.

In fact, 279 terrorists have been caught at the southern border since President Biden took office. More than 160 suspected terrorists have been apprehended in fiscal year 2023 alone, a number larger than the last 6 years combined.

And since October, more than 6,500 Chinese nationals, 700 Afghans, and dozens of Iranians have also been encountered at the border. Do you think these people have gotten the message that the Biden administration has thrown down the welcome mat and said: Come on over. We are going to let you in. Of course, that is what they are being told by the cartels—of course—because we have got a DHS Secretary who does not stand up and secure the

border. How about that? A Homeland Security Secretary who does not believe in securing the homeland. You can't make it up.

But instead of cracking down on border security, the Biden administration is cracking down on American businesses, including in my home State of Tennessee. They are cracking down on them for ensuring that their employees are eligible to work in our country.

Late last month, Biden's Justice Department fined a Chattanooga-based trucking company \$700,000 for simply checking whether job applicants had permanent resident cards or their immigration documents. They want to see a permanent resident card. They want to see immigration documents.

According to the Justice Department—you are not going to believe this one—according to the Justice Department, these documents are “unnecessary.” Their choice of words.

You know what, you just can't make it up. This administration continues to try to find ways to make illegal legal. They are constantly trying to circumvent the rule of law. They have got two tiers, two standards, two tiers of treatment, two tiers of justice, and it has caused massive amounts of confusion.

So this administration believes open the border, let them run all over, don't document them, doesn't matter if they are a terrorist, doesn't matter what they are coming here for. But if you are a company and you are going to check for permanent residency cards and immigration documents—which you are required to do by law, by the way—then this DOJ is going to tell you: Give it up. We are not checking who is complying with the law. We just want things done our way.

This needs to stop.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent to complete my remarks before we break for the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUATEMALA

Mr. MERKLEY. Madam President, it was bullets not ballots. Bullets were the way that policies were set when I visited Guatemala in the spring of 1980: a soldier with a gun on every corner of Guatemala City, the army going village to village killing indigenous young men, rebels attacking government officials, and rightwing death squads assassinating professors and students.

I had the unfortunate experience of coming around a street corner just after a death squad had assassinated a professor at San Carlos University and left his body lying in the street.

Well, four decades ago—that is a long time ago—and, fortunately, Guatemala has come a long way since I visited as a young man. Now, the battles over the country's future are being fought not with bullets but with ballots.

But maintaining the integrity of balloting, the peaceful transfer of power, which are the hallmarks, the foundations of representative democracy, is not inevitable. And in Guatemala, the system is being stressed. In Guatemala, the system is being tested.

The ballot box is beautiful because it creates the opportunity for citizens to call on their leaders to change direction, actually, to select leaders who are calling for a change in direction.

If the government isn't serving the people, the people can change the government. And every now and then, one of these elections is particularly exciting, and Guatemala's recent Presidential election has certainly been exciting.

The current Guatemalan Government is mostly a government by and for the powerful, rather than by and for the people, and the powerful blocked several candidates that they didn't want as the next President from even running in the election.

But one person they didn't stop was Bernardo Arevalo and his Semilla or “Seed Movement” Party. This gray-haired academic and anti-corruption advocate was running far back in the pack, virtually unnoticed, some eighth place just a couple weeks before the election, a campaign staff of only five people, so certainly not a serious contender—not a serious contender until he was a serious contender, and that happened because of two factors: The first was young people on social media. Nearly two-thirds of Guatemala's 17 million citizens are under the age of 30, and young people on TikTok flocked to the honesty of the man often referred to as “Uncle Bernie” and his campaign against corruption.

Soon Semilla's seedlings were spreading across social media. And one of the Semilla's leading advocates on social media was a young woman whom our delegation met this last weekend named Marcela Blanco. Ms. Blanco is a 23-year-old influencer who was arrested in November by the government for a tweet, arrested for her campaign activities, held for 11 days, and then released under house arrest and allowed to come to a meeting at the Embassy, which was fortunate because we were able to meet her.

She was a threat to the government because she was effective in spreading a message, a message of support for a man running for President who was running against the corruption of the existing government, her support for a democratic movement of development that was inclusive, meaning that it would support healthcare and housing and education, clean water, not just for the cities but also for the rural indigenous villages.

Well, when that first round of Presidential balloting was held on June 25, Mr. Arevalo came in second, which in the Guatemalan system is very important because first and second place have a runoff, assuming nobody got a majority in the first round. So that runoff was on August 20.

In the August election, that first and the second round, Mr. Arevalo didn't just barely win, he won by more than 60 percent of the vote, defeating the establishment candidate, Sandra Torres.

So a 20-percent victory is a pretty powerful message being sent from the people about whom they want to guide them in the future. And then what happened was the existing government went to work to try to invalidate the election, coming up with a series of spurious claims, and that triggered the indigenous communities to shut down roadways—so a protest—and it forced business leaders to call on the government to recognize the results.

So people, young people, indigenous people, Guatemalan people won a victory.

But they only won a victory if they can keep it. And Mr. Arevalo was here in Washington, DC, to talk about his upcoming service that would start on January 14 of next year, and he noted that he was still under intense attack—both him and his Vice President—and he wasn't sure if he would ever make it to be installed as President.

So a couple of us asked him whether it would be helpful to show that the United States was standing for the ballot box, standing for the peaceful transfer of power to come down before the election. And so a group of us went down this last weekend, led by Senator TIM KAINE, who is the chair of the Subcommittee on Latin America for the Foreign Relations Committee. And we were accompanied by Senator BUTLER, who is in the chair right now—and I gather this was her first congressional delegation—and by Senator DICK DURBIN and myself and then two members of the House who are themselves of Guatemalan descent, which was enormously powerful.

So we advocated there in Guatemala to maintain the recognition of this election, which had a huge amount of oversight, which was certainly conducted with integrity, and to ensure that there was a peaceful transfer of power on January 14.

But in the morning, on Saturday morning, as we were meeting with members of the President's Cabinet and they were telling us everything is just fine, one member of the Cabinet who was not there, which was the attorney general, was preparing to release a statement that afternoon. And that statement she released declared that the election of President-elect Arevalo and Vice-President-elect Herrera and the party's—that is the Semilla party's—parliamentarians was null and void.

Wow. So the attack on democracy by the existing government was still in full force this weekend. We responded by holding a press conference to stress the integrity of the election, underscore the need for democratic continuity, recognizing that the message carried by the President had been supported by an overwhelming majority of

the country. And other organizations and other countries condemned the decision too. The Organization of American States called it an attempted coup d'état that constitutes the worst form of democratic breakdown and the consolidation of a political fraud against the will of the people. And the Supreme Electoral Tribunal declared that the results are validated, formalized, and unchangeable. And Mr. Giammattei, the current President, called for the passage of power to Mr. Arevalo in January.

We have to admit that decades ago, it was not unusual for the United States to undermine democracy in a number of countries in the world—a couple of examples: In 1953, the United States helped engineer a coup against a democratically elected Prime Minister of Iran, Mohammad Mosaddegh, to install the Shah to power. Some 20 years later, Henry Kissinger in the Nixon administration supported and helped a coup d'états by the military against the democratic-elected President of Chile, Allende; and what followed were the worst kinds of repressive regimes with unforeseen consequences, including the Islamic Revolution in Iran and terrible oppression in Chile.

So I was pleased to be part of a team from this Chamber in Latin America working to support and defend democracy, defend the ballot box, defend the will of free peoples. That is the stand we should always be taking when their election is held with integrity.

And right now, it is important that the United States and the international community continue to stand arm in arm with the people of Guatemala, arm in arm with President-elect Arevalo, arm and arm with Vice-President-elect Herrera and their campaign for democracy, their campaign for the rule of law.

Madam President, 44 years ago when I arrived in Guatemala, it was governed by bullets; and 4 days ago, I arrived in a country governed by ballots. But their democracy is at risk. We must continue to do all we can to support the will of the Guatemalan people, the Guatemaltecos, and the will of democratic people around the world. Let's ensure that the form of government that triumphs is that of representative democracy, channeling a government of, by, and for the people, not the powerful.

NOMINATION OF RICHARD E.N. FEDERICO

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Richard E.N. Federico to the United States Court of Appeals for the Tenth Circuit.

Born in Richmond, IN, Mr. Federico earned his B.A.J. from Indiana University in 1999, his J.D. from the University of Kansas School of Law in 2002, and his L.L.M. from Georgetown University in 2012.

Since 2003, Mr. Federico has served the Navy in various positions both in the United States and abroad. More specifically, he has served as: trial

counsel in Trial Service Office East of Naval Station Norfolk; director of military justice and trial counsel in the U.S. Regional Legal Service Office of Europe and Southwest Asia in Naples, Italy; defense counsel in the Office of the Chief Defense Counsel in the Office of Military Commissions; executive officer, senior defense counsel, and officer in charge at Naval Station Mayport in Jacksonville, FL; appellate defense counsel in the Appellate Defense Division of the Office of the Judge Advocate General in Washington, DC; military judge in the Navy-Marine Corps Trial Judiciary; and trial counsel for the Navy Reserve Region Legal Service Office Southwest at Navy Base San Diego.

Between 2015 and 2017, he served as an assistant federal public defender in the Federal Public Defender's Office for the District of Oregon. In 2019, Mr. Federico was designated and certified by the Judge Advocate General of the Navy as a military judge. Throughout his naval career, on Active Duty and in the Reserves, he has also been detailed to serve in a quasi-judicial capacity as a preliminary hearing officer. Mr. Federico has been detailed to preside over 11 court-martial cases. Since 2020, Mr. Federico has served as senior litigator in the Federal Public Defender's Office for the District of Kansas. He previously served the office as an assistant Federal public defender and as a research and writing specialist. Throughout his career, Mr. Federico has tried dozens of cases to verdict in U.S. district courts and in military courts-martial, and he has also filed and argued several appeals.

The American Bar Association unanimously rated Mr. Federico as "well qualified," and his nomination is strongly supported by his home State Senators, Mr. MORAN and Mr. MARSHALL.

I am confident that Mr. Federico will serve honorably on the Tenth Circuit. I proudly support his nomination.

VOTE ON FEDERICO NOMINATION.

The PRESIDING OFFICER. Under the previous order, The question is, Will the Senate advise and consent to the nomination?

Mr. MERKLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Hawaii (Mr. SCHATZ), the Senator from Rhode Island (Mr. WHITEHOUSE), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the

Senator from Texas (Mr. CRUZ), the Senator from Idaho (Mr. RISCH), and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting: the Senator from Indiana (Mr. YOUNG) would have voted "nay."

The result was announced—yeas 61, nays 29, as follows:

[Rollcall Vote No. 336 Ex.]

YEAS—61

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Hoeven	Rounds
Booker	Kaine	Rubio
Brown	Kelly	Sanders
Butler	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Lankford	Sinema
Carper	Luján	Smith
Casey	Manchin	Stabenow
Cassidy	Markey	Tester
Collins	Marshall	Thune
Coons	Menendez	Tillis
Cornyn	Merkley	Van Hollen
Cortez Masto	Moran	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Ernst	Murray	Welch
Gillibrand	Ossoff	Wicker
Graham	Padilla	
Hassan	Peters	

NAYS—29

Blackburn	Grassley	Paul
Boozman	Hagerty	Ricketts
Braun	Hawley	Romney
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lee	Sullivan
Crapo	Lummis	Tuberville
Daines	McConnell	Vance
Fischer	Mullin	

NOT VOTING—10

Barrasso	Heinrich	Wyden
Cardin	Risch	Young
Cruz	Schatz	
Fetterman	Whitehouse	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 61, the nays are 29.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I move to proceed to executive session to consider Calendar No. 304.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jerry Edwards, Jr., of Louisiana, to be United States

District Judge for the Western District of Louisiana.

CLOTURE MOTION

Mr. DURBIN. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 304, Jerry Edwards, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana.

Richard J. Durbin, Peter Welch, Sheldon Whitehouse, Alex Padilla, Christopher A. Coons, Margaret Wood Hassan, Tina Smith, Benjamin L. Cardin, Richard Blumenthal, Mazie K. Hirono, Chris Van Hollen, Michael F. Bennet, John W. Hickenlooper, Mark Kelly, Robert P. Casey, Jr., Tim Kaine, Patty Murray.

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I move to proceed to executive session to consider executive Calendar No. 305.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Brandon S. Long, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

CLOTURE MOTION

Mr. DURBIN. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 305, Brandon S. Long, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Richard J. Durbin, Peter Welch, Sheldon Whitehouse, Alex Padilla, Christopher A. Coons, Margaret Wood Hassan, Tina Smith, Benjamin L. Cardin, Richard Blumenthal, Mazie K. Hirono, Chris Van Hollen, Michael F. Bennet, John

W. Hickenlooper, Mark Kelly, Robert P. Casey, Jr., Tim Kaine, Patty Murray.

Mr. DURBIN. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, December 11, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the clerk will report the Coker nomination.

The senior assistant legislative clerk read the nomination of Harry Coker, Jr., of Kansas, to be National Cyber Director.

MORNING BUSINESS

TRIBUTE TO SERGEANT MAJOR TYRONE C. MARSHALL, Jr.

Mr. OSSOFF. Mr. President, today it is with great pleasure that I honor a dedicated Army noncommissioned officer, legislative liaison, and public servant. I wish to recognize SGM Tyrone C. Marshall for 2 years of exemplary service with the Senate Liaison Division and congratulate him on his selection to serve in the Pentagon as an operations sergeant major with the Office of the Chief of Public Affairs.

On this occasion, I recognize Sergeant Major Marshall's distinguished 25-year career spent serving the American people, whether here in the Halls of Congress or with his boots on the ground. A native of Ashbury Park, NJ, and a fourth-generation soldier, he enlisted in the Army in 1998, serving first as an administrative specialist for 7 years before transitioning to public affairs in 2005. Sergeant Major Marshall deployed to Iraq twice, serving first in 2005 with the 25th Infantry Division public affairs, Task Force Lightning, and later with Task Force Wings as Brigade PAO for 25th Combat Aviation Brigade in 2008.

In 2011, Sergeant Major Marshall began his first tour at the Pentagon as the senior public affairs NCO for the Defense Media Activity's Armed Forces Press Service, Pentagon Bureau, later designated DoD News. In this role, he served as the sole military adviser to a 20-person civilian news team supporting the Office of the Secretary of Defense and Chairman of the Joint Chiefs of Staff. His service in this capacity demonstrates his steadfast commitment to the defense of the United States, whether on the ground or over the airwaves.

In 2015, Sergeant Major Marshall returned to the line as a platoon sergeant at the National Training Center at Fort Irwin, CA. He then returned to the Pentagon as Public Affairs and media adviser to the 15th and 16th Sergeants Major of the Army and as an operations NCO.

In 2020, Sergeant Major Marshall arrived on Capitol Hill to serve as a defense fellow for Representative ELISE

STEFANK of New York before his selection as a legislative liaison in the Senate Liaison Division. In each of these positions, his primary responsibility was to help continue and strengthen Army relationships across both Chambers of Congress. Over the past 2 years, Sergeant Major Marshall has done just that: He has been an indispensable resource and representative of the Army and traveled all over the world facilitating congressional and staff delegations.

He will now continue his distinguished Army career, once again returning to the Pentagon as an operations sergeant major. He will assume responsibility for his new position later this December.

I am personally thankful for his shared wisdom, service, and sacrifice. I am grateful to him for the help he provided my staff and me to better serve our Georgia Army families and communities. And on behalf of the U.S. Senate, I thank SGM Tyrone C. Marshall for his time here in the Senate as a legislative liaison and wish him, his wife Tammy, and his children Kya, Kaden, Tre'Yon, Elijah, and Tyrone all the best.

TRIBUTE TO KIM RIGGINS

Mr. OSSOFF. Mr. President, I rise to commend an extraordinary Georgian for her lifetime of service to the State of Georgia and to our entire country.

This month, Ms. Kim Riggins will retire as a congressional liaison in the Atlanta VA Regional Office's Congressional Unit, where she works to ensure Georgia's veterans and their families can access the benefits they have earned, and to coordinate that work with Georgia's congressional offices.

In 1979, Ms. Riggins enlisted in U.S. Navy, and she served on Active Duty from October 1979 until October 1983. While stationed at Fort Myers, VA, she met and married Charles Riggins, a soldier, in 1983. The couple had two sons, Charles Jr., an educator, and Terron, Active-Duty Army. Both are married and captains in the National Guard and Active Army, respectively.

Upon her discharge from Active Duty, Ms. Riggins joined the Navy Reserves and remained in the Reserves until 1994. In June 1994, Charles and Kim Riggins moved to Georgia. After the 9/11 terrorist attacks, she was recalled to Active Duty and served from February 2002 until October 2003.

Ms. Riggins retired from the U.S. Naval Reserves in 2005, and in May 2008, she graduated magna cum laude from Clayton State University, earning a bachelor's degree in accounting with a minor in finance.

She began working at the Atlanta VA in August 2009 and was hired under the American Recovery and Reinvestment Act—ARRA—of 2009 as a veterans service representative, VSR. Ms. Riggins was part of the pre-development team from 2009 to 2012, where she was selected by the veterans service center

Manager—VSCM—to be detailed to congressionals on the public contact team, where she has been serving Georgia's veterans for the past 11 years.

For her lifetime of service to our Nation in the U.S. Navy, the U.S. Navy Reserves, and the U.S. Department of Veterans Affairs, I commend Kim Riggins and congratulate her and her entire family on her retirement.

ADDITIONAL STATEMENTS

RECOGNIZING MUDDY DOG MARKET AND GRILL

• Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Muddy Dog Market and Grill of Unionville, IA, as the Senate Small Business of the Week.

Founded by husband and wife duo Regina and Darrell Sarmento in 2023, Muddy Dog Market and Grill offers dine-in and takeout food options, groceries, and entertainment in Unionville. The Sarmentos opened Muddy Dog Market and Grill to provide quality dining and groceries to residents of Appanoose, Monroe, Davis, and Wapello Counties. For dine-in food options, Muddy Dog Market and Grill offers artisanal pizzas, smash burgers, soups, salads, appetizers, and weekly specials. The drink menu at Muddy Dog Market and Grill is unique, with drinks named after the family's "muddy dogs." In addition to the market and grill, they also provide live music events and offer party rental services.

Muddy Dog Market and Grill is actively involved in the Unionville community. Regina grew up in Iowa but met Darrell in Sacramento, CA, where they both were living at the time. They moved to Iowa in 2009, with Darrell working as executive director of the Newton Area Chamber of Commerce from 2010 until 2014 and the Des Moines West Side Chamber of Commerce from 2017 until 2021. In addition to running Muddy Dog Market and Grill with his wife, Darrell serves as a small business counselor at the Indian Hills Community College Small Business Development Center. In this position, he helps other small businesses grow and develop. Prior to owning and running Muddy Dog Market and Grill, Regina spent years working in restaurants and as a behavioral health professional. The Sarmentos are actively involved in their church, using the proceeds from their recycled bottles to benefit youth services. Muddy Dog Market and Grill actively employs high school students in the Moravia and Moulton-Udell School Districts. The Sarmentos serve as mentors to the students, helping the next generation gain practical skills in the workplace. This Veterans Day,

Muddy Dog Market and Grill offered a Vets Dine Free Day, with live music and free meals for local veterans.

Muddy Dog Market and Grill's commitment to providing quality food and groceries at great prices in Unionville, IA, is clear. I want to congratulate Regina and Darrell Sarmento and the entire team at Muddy Dog Market and Grill for their continued dedication to south central Iowans. I look forward to seeing their continued growth and success.●

TRIBUTE TO MOLLY LIEBERMAN

• Mr. OSSOFF. Mr. President, I rise to commend a Savannah, GA, nonprofit organization working to support our children and schools. Founded in 2008 by Molly Lieberman, Loop it Up Savannah is a nonprofit community art program that began as a children's knitting and crochet class at the West Broad Street YMCA. Since then, it has grown into a community-wide program, helping bring art forms to children and adults across Chatham County and the Savannah area.

Partnering with schools, community centers, museums, and local businesses, Ms. Lieberman and Loop It Up Savannah work to provide creative art experiences and connect resources to children and families throughout Savannah. Loop It Up Savannah's programming includes visual and performing arts, early literacy programming, school garden projects, yoga and mindfulness-based practice, and STEAM Programming throughout Savannah and Chatham County. These events, programs, and workshops help build strong relationships, greater academic successes, and a more connected community.

I commend Molly Lieberman and the entire Loop it Up Savannah team for their work in the Savannah community and their commitment to our children.●

TRIBUTE TO SUN PARK

• Mr. OSSOFF. Mr. President, I rise to commend Sun Park, the 26th president of the Korean American Chamber of Commerce GA-ATL, for his exceptional leadership and commitment to the Korean American business community in Georgia.

This weekend, the Korean American Chamber of Commerce GA-ATL inaugurated its 27th president and celebrated Mr. Park's service. Mr. Park immigrated to the United States from the Republic of Korea in 2004 and started a small business in Duluth, GA. In January 2022, Mr. Park was sworn in as the 26th president of the Korean American Chamber of Commerce GA-ATL. Under Mr. Park's leadership, the chamber has flourished and continues to be a beacon of innovation and collaboration.

Mr. Park has been instrumental in supporting Korean American small business owners, and he has worked to deepen cooperation and ties with other

communities in metro Atlanta. Under Mr. Park's presidency, the chamber has successfully hosted expos every March and October, which have been vital in serving Korean companies, providing essential resources, and connecting them to U.S.-based buyers. This initiative has played a crucial role in helping Korean companies establish and thrive in the U.S. market.

I commend Mr. Sun Park for his leadership and service to Georgia's Korean American community as the 26th president of the Korean American Chamber of Commerce GA-ATL.●

RECOGNIZING MARINE CORPS LOGISTICS BASE ALBANY

● Mr. OSSOFF. Mr. President, I rise to commend Marine Corps Logistics Base Albany for receiving the Commander in Chief's Annual Award for Installation Excellence in June 2023.

This award is presented in recognition of outstanding and innovative efforts of the people who operate and maintain U.S. military installations. In May 2022, the base announced it had become the first DOD installation to reach electric Net Zero. Partnering with Georgia Power, MCLB Albany was awarded funding via the electrical vehicle Make Ready Program. The effort consists of 21 charge points at nine locations across the installation and includes underlying infrastructure to allow for future growth.

In March 2022, MCLB Albany opened the first hybrid dining facility to feed both Active Duty and civilians, emphasizing nutritional density while maintaining compliance with the Military Dietary Reference Intake. The base is also recognized as a Military Community of Excellence through various partnerships with industry, schools, local, State, and Federal leaders.

As Georgia's U.S. Senator, I commend Col. Matthew McKinney, U.S. Marine Corps, and all who serve and work at Marine Corps Logistics Base Albany for their outstanding and innovative efforts to support Department of Defense missions.●

TRIBUTE TO JORDAN J. CORBETT

● Mr. RUBIO. Mr. President, I recognize Jordan J. Corbett on the occasion of his 101st birthday on November 25, 2023.

J.J. grew up in Pierce, FL, and attended Union Academy in Bartow. In 1943, after a semester at Bethune-Cookman University, he was drafted into the U.S. Army to fight in World War II. He was one of the first African Americans to train as a paratrooper and was a founding member of the 555th "Triple Nickles" Parachute Infantry Battalion. The 555th was part of Operation Firefly, tasked with parachuting into rough terrain in the American Northwest to put out fires started by the Japan's deadly fire balloons. Not only did they help protect the homeland and deter future balloon

attacks, they pioneered many of the procedures of today's smoke jumpers who help put out wildfires.

After the war, J.J. earned a degree in mathematics from North Carolina Agricultural and Technical College where he played football, was editor of the yearbook, and was active in Omega Psi Phi fraternity. Upon graduation, he returned to Bartow, FL, to teach math and coached at his high school alma mater, where he met his wife Ava.

He served 12 years on the Polk County School Board and 14 years on the board of the Citrus and Chemical Bank. He is a two-time Florida Track Coach of the Year and a member of the Florida Athletic Association Hall of Fame.

J.J.'s life of service and perseverance is an inspiration to us all. I extend my best birthday wishes to J.J. and his family.●

MESSAGE FROM THE HOUSE

At 3:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 88. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program".

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the first and second times by unanimous consent, and placed on the calendar:

H.J. Res. 88. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program".

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3038. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Guaranteed Loanmaking and Servicing Regulations" (RIN0570-AB07) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3039. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Transparency in Poultry Grower Contracting and Tournaments" ((RIN0581-AE03) (Docket No. AMS-FTTP-21-0044)) re-

ceived in the Office of the President of the Senate on December 6, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3040. A communication from the Chief of the Planning and Regulatory Affairs Office, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Memorandum on Commodity Credit Corporation (CCC) The Emergency Food Assistance Program (TEFAP) Funding" received in the Office of the President of the Senate on December 6, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3041. A communication from the General Counsel, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Conservators and Receivers" (RIN3052-AD48) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3042. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z)" (RIN7100-AG69) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3043. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Fair Credit Reporting Act Disclosures" (12 CFR Part 1022) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3044. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans Exemption Threshold" (RIN7100-AG19) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3045. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z) Annual Threshold Adjustments (Credit Cards, HOEPA, and Qualified Mortgages)" (12 CFR Part 1026) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3046. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Consumer Leasing (Regulation M)" (12 CFR Part 1013) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3047. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Beneficial Ownership Information Reporting Deadline Extension for Reporting Companies Created or Registered in 2024" (RIN1506-AB62) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3048. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Use of FinCEN Identifiers for Reporting Beneficial Ownership Information of Entities" (RIN1506-AB49) received in the Office of

the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3049. A communication from the Deputy Director of Congressional Affairs, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Entity List Additions" (RIN0694-AJ44) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3050. A communication from the Deputy Director of Congressional Affairs, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Entity List Removal" (RIN0694-AJ47) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3051. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Special Assessment Pursuant to Systemic Risk Determination" (RIN3064-AF93) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3052. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Prohibition Against Conflicts of Interest in Certain Securitizations" (RIN3235-AL04) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-3053. A communication from the Executive Vice President and Chief Financial Officer, Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the Administration's Annual Report for fiscal year 2023 received in the Office of the President pro tempore; to the Committee on Energy and Natural Resources.

EC-3054. A communication from the President of the United States, transmitting, pursuant to law, the Agreement Concerning Procedures for the Implementation of United States Economic Assistance Provided in the 2023 Amended Compact Between the Government of the United States of America and the Government of the Republic of the Marshall Islands (2023 FPA), the Agreement Between the Government of the United States of America and the Government of the Republic of the Marshall Islands Regarding the Compact Trust Fund (2023 TFA), and the Agreement between the Government of the United States of America and the Government of the Republic of the Marshall Islands to Amend the Compact of Free Association, as Amended (2023 Amended Compact); to the Committee on Energy and Natural Resources.

EC-3055. A communication from the President of the United States, transmitting, pursuant to law, the Agreement Concerning Procedures for the Implementation of United States Economic Assistance Provided in the 2023 Amended Compact Between the Government of the United States of America and the Government of the Federated States of Micronesia (2023 FPA), and the 2023 Federal Programs and Services Agreement between the Government of the United States of America and the Government of the Federated States of Micronesia with Annexes (2023 FPSA); to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 61. A bill to require the Secretary of Homeland Security to implement a strategy to combat the efforts of transnational criminal organizations to recruit individuals in the United States via social media platforms and other online services and assess their use of such platforms and services for illicit activities, and for other purposes (Rept. No. 118-123).

S. 1798. A bill to establish a Countering Weapons of Mass Destruction Office and an Office of Health Security in the Department of Homeland Security, and for other purposes (Rept. No. 118-124).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2260. A bill to require transparency in notices of funding opportunity, and for other purposes (Rept. No. 118-125).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2286. A bill to improve the effectiveness and performance of certain Federal financial assistance programs, and for other purposes (Rept. No. 118-126).

By Mr. CARPER, from the Committee on Environment and Public Works:

Report to accompany S. 1381, a bill to authorize the Secretary of the Interior, through the Coastal Program of the United States Fish and Wildlife Service, to work with willing partners and provide support to efforts to assess, protect, restore, and enhance important coastal landscapes that provide fish and wildlife habitat on which certain Federal trust species depend, and for other purposes (Rept. No. 118-127).

Report to accompany S. 2395, a bill to reauthorize wildlife habitat and conservation programs, and for other purposes (Rept. No. 118-128).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SINEMA (for herself and Mrs. BLACKBURN):

S. 3458. A bill to amend title XVIII of the Social Security Act to clarify the application of the in-office ancillary services exception to the physician self-referral prohibition for drugs furnished under the Medicare program; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Mr. BENNET):

S. 3459. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with consumer claim awards; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 3460. A bill to direct the Director of the Bureau of Justice Statistics to establish a database with respect to corporate offenses, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACKBURN (for herself, Mr. HOEVEN, Mr. CRAMER, Mr. RUBIO, Mrs. HYDE-SMITH, Mr. CRUZ, Mr. TILLIS, and Mr. SCOTT of Florida):

S. 3461. A bill to impose certain requirements relating to the renegotiation or reentry into the Joint Comprehensive Plan of Action or other agreement relating to Iran's

nuclear program, and for other purposes; to the Committee on Foreign Relations.

By Mr. MARSHALL (for himself, Mr. MARKEY, and Mrs. CAPITO):

S. 3462. A bill to require the Secretary of Health and Human Services to issue draft guidance to address non-addictive analgesics for chronic pain; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 3463. A bill to authorize the Attorney General to make grants to States and localities to provide the right to counsel in civil actions related to eviction, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL:

S.J. Res. 53. A joint resolution providing for congressional disapproval of the proposed foreign military sale to the Kingdom of Saudi Arabia of certain defense articles and services; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 474

At the request of Mrs. BLACKBURN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 474, a bill to amend title 18, United States Code, to strengthen reporting to the CyberTipline related to online sexual exploitation of children, to modernize liabilities for such reports, to preserve the contents of such reports for 1 year, and for other purposes.

S. 644

At the request of Mr. MARKEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 644, a bill to expand the take-home prescribing of methadone through pharmacies.

S. 1026

At the request of Mr. MARKEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1026, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1673

At the request of Ms. CORTEZ MASTO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1673, a bill to amend title XVIII to protect patient access to ground ambulance services under the Medicare program.

S. 1819

At the request of Mr. MARKEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1819, a bill to amend chapter 44 of title 18, United States Code, to prohibit the distribution of 3D printer plans for the printing of firearms, and for other purposes.

S. 1840

At the request of Ms. BALDWIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1840, a bill to amend the Public Health Service Act to reauthorize and improve the National Breast and Cervical Cancer Early Detection Program

for fiscal years 2024 through 2028, and for other purposes.

S. 1843

At the request of Mrs. BLACKBURN, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 1843, a bill to amend the Immigration and Nationality Act to require a DNA test to determine the familial relationship between an alien and an accompanying minor, and for other purposes.

S. 1884

At the request of Ms. SMITH, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1884, a bill to amend the Public Health Service Act to revise and extend projects relating to children and to provide access to school-based comprehensive mental health programs.

S. 1953

At the request of Mr. PADILLA, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1953, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received from State-based catastrophe loss mitigation programs.

S. 1999

At the request of Mr. MARKEY, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1999, a bill to protect an individual's ability to access contraceptives and to engage in contraception and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception.

S. 2555

At the request of Mr. BLUMENTHAL, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2555, a bill to amend the Animal Welfare Act to expand and improve the enforcement capabilities of the Attorney General, and for other purposes.

S. 2870

At the request of Mr. SCOTT of Florida, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2870, a bill to amend the Endangered Species Act of 1973 to allow certain activities to be conducted with respect to sturgeon held in captivity or in a controlled environment in the United States, and for other purposes.

S. 3047

At the request of Mr. RUBIO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3047, a bill to award payments to employees of Air America who provided support to the United States from 1950 to 1976, and for other purposes.

S. 3358

At the request of Mr. MULLIN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 3358, a bill to authorize livestock producers and their employees to take black vultures to prevent death,

injury, or destruction to livestock, and for other purposes.

S. 3364

At the request of Mr. LUJÁN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 3364, a bill to amend the SUPPORT for Patients and Communities Act to authorize the use of certain grants to prevent suicide or overdose by children, adolescents, and young adults, and for other purposes.

S. 3374

At the request of Mrs. MURRAY, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 3374, a bill to waive General Schedule qualification standards related to work experience for nurses at military medical treatment facilities, and for other purposes.

S. 3404

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3404, a bill to require certain protections for student loan borrowers, and for other purposes.

S. 3409

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3409, a bill to end the use of solitary confinement and other forms of restrictive housing in all Federal agencies and entities with which Federal agencies contract.

S. 3424

At the request of Mr. LUJÁN, the names of the Senator from California (Mr. PADILLA) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 3424, a bill to reauthorize the program for strengthening communities of recovery for individuals with substance use disorders.

S. 3428

At the request of Mr. LEE, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 3428, a bill to terminate the membership by the United States in the United Nations, and for other purposes.

S.J. RES. 49

At the request of Mr. CASSIDY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S.J. Res. 49, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to a "Standard for Determining Joint Employer Status".

S.J. RES. 50

At the request of Mr. TILLIS, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S.J. Res. 50, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to "Cybersecurity Risk Management, Strategy, Governance, and Incident Disclosure.

S. RES. 333

At the request of Mr. DURBIN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. Res. 333, a resolution designating 2024 as the Year of Democracy as a time to reflect on the contributions of the system of Government of the United States to a more free and stable world.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 3460. A bill to direct the Director of the Bureau of Justice Statistics to establish a database with respect to corporate offenses, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Corporate Crime Database Act of 2023".

SEC. 2. CORPORATE CRIME DATABASE AT THE BUREAU OF JUSTICE STATISTICS.

(a) IN GENERAL.—Part C of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10131 et seq.) is amended by adding at the end the following:

"SEC. 305. CORPORATE CRIME DATABASE.

"(a) DEFINITIONS.—In this section:

"(1) BUSINESS ENTITY.—The term 'business entity' means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

"(2) CORPORATE OFFENSE.—The term 'corporate offense' means—

"(A) a violation or alleged violation of Federal law committed by—

"(i) a business entity; or

"(ii) an individual employed by a business entity within the conduct of the individual's occupational role; and

"(B) any other violation determined by the Director to be a corporate offense.

"(3) DIRECTOR.—The term 'Director' means the Director of the Bureau.

"(4) ENFORCEMENT ACTION.—The term 'enforcement action' includes any concluded administrative, civil, or criminal enforcement action or any declination, settlement, deferred prosecution agreement, or non-prosecution agreement entered into by a Federal agency to enforce a law or regulation.

"(5) FEDERAL AGENCY.—The term 'Federal agency' has the meaning given the term 'agency' in section 551 of title 5, United States Code.

"(b) ESTABLISHMENT.—Beginning not later than 1 year after the date of enactment of the Corporate Crime Database Act of 2023, the Director shall—

"(1) collect, aggregate, and analyze information regarding enforcement actions taken with respect to corporate offenses; and

"(2) publish on the internet website of the Bureau a database of the enforcement actions described in paragraph (1).

“(c) INFORMATION INCLUDED.—The database established under subsection (b) shall include the following information on an enforcement action with respect to corporate offenses:

“(1) Each business entity or individual identified by the enforcement action.

“(2) The employer of an individual identified under paragraph (1), as determined relevant by the Director.

“(3) The parent company of a business entity identified under paragraph (1) or the parent company of any employer identified under paragraph (2), as determined relevant by the Director.

“(4) The type of offense or alleged offense committed by the business entity or individual.

“(5) Any relevant statute or regulation violated by the business entity or individual.

“(6) Each Federal agency bringing the enforcement action.

“(7) The outcome of the enforcement action, if any, including all documentation relevant to the outcome.

“(8) An unique identifier for each business entity, individual, employer, or parent company identified by the enforcement action.

“(9) Any additional information the Director determines necessary to carry out the purposes of this section.

“(d) INFORMATION COLLECTION BY DIRECTOR.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Corporate Crime Database Act of 2023, the Director shall establish guidance for the collection of information from each Federal agency that carries out an enforcement action with respect to corporate offenses, including identification of each Federal agency that shall submit information to the Director and the manner in which, time at which, and frequency with which the information shall be submitted.

“(2) COOPERATION BY FEDERAL AGENCIES.—Each Federal agency identified in the guidance established under paragraph (1) shall submit to the Director the information specified by the Director, in accordance with that guidance.

“(3) TIMING OF INFORMATION INCLUDED.—To the extent to which information is available, the database established under subsection (b) shall include the information described in subsection (c) on each enforcement action with respect to corporate offenses taken by a

Federal agency before, on, or after the date of enactment of the Corporate Crime Database Act of 2023.

“(e) PUBLICATION DETAILS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Corporate Crime Database Act of 2023, the Director shall publish on the internet website of the Bureau the database established under subsection (b) in a format that is searchable, downloadable, and accessible to the public.

“(2) UPDATE OF INFORMATION.—The Director shall update the information included in the database established under subsection (b) each time the information is collected under subsection (d).

“(f) REPORT REQUIRED.—Not later than 1 year after the publication of the database established under subsection (b), and annually thereafter, the Director shall submit to Congress a report including—

“(1) a description of the data collected and analyzed under this section related to corporate offenses, including an analysis of recidivism, offenses and alleged offenses, and enforcement actions;

“(2) an estimate of the impact of corporate offenses on victims and the public; and

“(3) recommendations, developed in consultation with the Attorney General, for legislative or administrative actions to improve the ability of Federal agencies to monitor, respond to, and deter instances of corporate offenses.”.

(b) CHIEF DATA OFFICER COUNCIL.—Section 3520A(b) of title 44, United States Code, is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) identify ways in which a Federal agency (as defined in section 305 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) that carries out an enforcement action (as defined in that section) with respect to a corporate offense (as defined in that section) can improve the collection, digitalization, tabulation, sharing, and publishing of information under that section, and the standardization of those processes, in order to carry out that section.”.

ORDERS FOR TUESDAY,
DECEMBER 12, 2023

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10:30 a.m. on Tuesday, December 12; that following the prayer and pledge, the time for the two leaders be reserved for their use later in the day and the Senate resume consideration of the Coker nomination; further, that the cloture motions filed during Thursday’s session ripen at 11:45 a.m. and that the Senate recess following the cloture vote until 2:15 p.m. to allow for the weekly caucus meetings; further, that if cloture is invoked on the Coker nomination, all time be considered expired at 2:15 p.m., and that following the confirmation vote, there be up to 15 minutes for debate prior to the cloture vote on the conference report to accompany H.R. 2670; finally, that if any nominations are confirmed during Tuesday’s session, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate’s actions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10:30 A.M.
TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 7 p.m., adjourned until Tuesday, December 12, at 10:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate December 11, 2023:

THE JUDICIARY

RICHARD E.N. FEDERICO, OF KANSAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.